

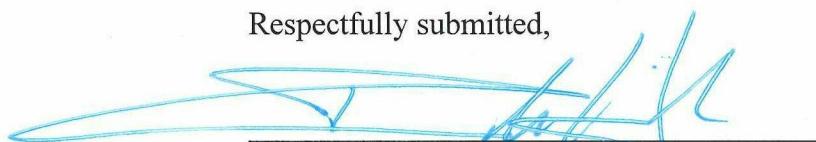
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

JOHN WHITAKER, MONIQUE §
JANNETTE and LESLIE GREER, §
§
Plaintiff, §
§
v. § Civil Action No. 3:03-CV-0411-P
§ ECF
§
WEST VILLAGE LIMITED PARTNERSHIP §
and PPC/IMA INTOWN VILLAGE LIMITED §
PARTNERSHIP, §
§
Defendants. §

CWS' MOTION CONCERNING LOFT UNITS

C.W.S. Village Residential, L.P. and C.W.S. Urban Lofts, L.P. (collectively, "CWS") request that the Court enter an Order finding that the Consent Decree approved by the Court in this lawsuit does not require remediation of certain "loft units" that were originally part of the West Village development but are now owned by third parties who are neither parties to this lawsuit nor related to the parties. The grounds for this Motion are set forth in CWS contemporaneously filed Brief.

Respectfully submitted,

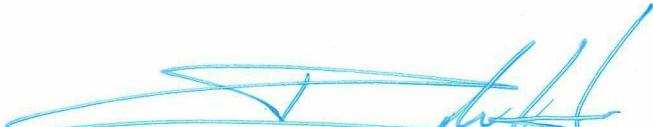


Richard M. Hunt
Texas State Bar No. 10288700
MUNSCH HARDT KOPF & HARR, P.C.
3800 Lincoln Plaza
500 N. Akard Street
Dallas, Texas 75201
(214) 855-7500 (telephone)
(214) 855-7584 (facsimile)
E-mail: rhunt@munsch.com

ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF CONFERENCE

This Motion is opposed. On March 9, 2010 and several previous occasions the undersigned conferred with Palmer Bailey, counsel for the Plaintiffs, concerning the relief requested in this Motion. The parties were not able to reach agreement because they disagree about the practical necessity and legal authority for the relief requested.



Richard M. Hunt

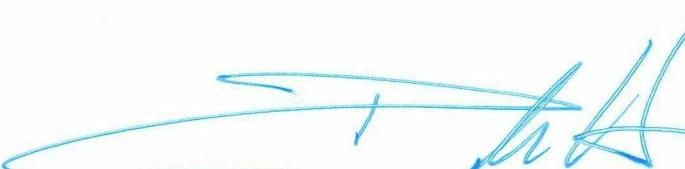
CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of March, 2010 a true and correct copy of the foregoing instrument was served on the following by use of the Court's Notice of Electronic Filing as allowed by Miscellaneous Order No. 61:

Kenneth D. Carden
The Carden Law Office
5771 Berkshire Lane
Dallas, Texas 75220
FAX 214-540-7401
carden@ADA-law.com

Ed Cloutman
3301 Elm Street
Dallas, Texas 75226
FAX 214-939-9229

Palmer D. Bailey
Law Office of Palmer D. Bailey
14221 Dallas Parkway, Suite 1400
Dallas, Texas 75254
FAX 972-432-9119



Richard M. Hunt